

House Engrossed

State of Arizona  
House of Representatives  
Forty-fifth Legislature  
First Regular Session  
2001

CHAPTER 147

# HOUSE BILL 2229

AN ACT

AMENDING SECTION 28-5810, ARIZONA REVISED STATUTES; RELATING TO RENTAL  
VEHICLE SURCHARGES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-5810, Arizona Revised Statutes, is amended to  
3 read:

4 28-5810. Rental vehicle surcharge; reimbursement; definition

5 A. A person engaged in the business of renting motor vehicles without  
6 drivers shall collect, at the time the rental vehicle is rented, a five per  
7 cent surcharge on each rental contract that is for a period of one hundred  
8 eighty days or less.

9 B. The surcharge:

10 1. Shall be computed on the total amount stated in the rental  
11 contract, less any taxes and fees imposed by title 42, chapter 5, article 1  
12 and title 48, chapter 26, article 2.

13 2. Is not subject to the taxes imposed by title 42, chapter 5, article  
14 1 and title 48, chapter 26, article 2.

15 3. Shall be noted on the rental contract and collected pursuant to the  
16 contract.

17 4. Shall be retained by the vehicle owner or person engaged in the  
18 business of renting rental vehicles.

19 5. Shall be used only for reimbursement of the amount of vehicle  
20 license tax imposed on the rental vehicle pursuant to section 28-5801 and  
21 paid by the rental vehicle owner or person engaged in the business of renting  
22 rental vehicles at the time of vehicle registration.

23 C. On February 15 of each year, a person who is engaged in the  
24 business of renting rental vehicles and who collects a surcharge pursuant to  
25 this section shall file a report with the director stating:

26 1. The total amount of vehicle license tax paid the previous year.

27 2. The total amount of vehicle rental revenues for the previous year.

28 3. The amount by which the surcharge exceeds the amount of vehicle  
29 license tax.

30 D. Surcharges collected in excess of the amount of vehicle license tax  
31 paid shall be remitted, deposited and distributed pursuant to section  
32 28-5808.

33 E. The report to the director required by this section shall be a  
34 sworn statement subject to penalty of perjury for misrepresenting the amount  
35 of vehicle license tax paid or the amount of surcharge collected.

36 F. The director shall adopt rules prescribing auditing procedures,  
37 records maintenance and other requirements necessary to administer this  
38 section.

39 ~~G. This section does not apply to a pickup truck or utility trailer~~  
40 ~~that is rented primarily for purposes of hauling property and that is subject~~  
41 ~~to proportional registration pursuant to a proportional registration~~  
42 ~~agreement.~~

43 H. G. For the purposes of this section, "rental vehicle" means BOTH  
44 OF THE FOLLOWING:

- 1        1. A passenger vehicle that is designed to transport fifteen or fewer  
2 passengers and that is rented without a driver.
- 3        2. A TRUCK, TRAILER OR SEMITRAILER THAT HAS A GROSS VEHICLE WEIGHT OF  
4 LESS THAN TWENTY-SIX THOUSAND ONE POUNDS, THAT IS RENTED WITHOUT A DRIVER AND  
5 THAT IS USED IN THE TRANSPORTATION OF PERSONAL PROPERTY.

APPROVED BY THE GOVERNOR APRIL 18, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 19, 2001.

Passed the House February 13, 2001,

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting

[Signature]  
Speaker of the House

Norman L. Spore  
Chief Clerk of the House

Passed the Senate April 11, 2001,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

[Signature]  
President of the Senate

Charmine Billington  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

12 day of April, 2001,

at 8:28 o'clock A M.

[Signature]  
Secretary to the Governor

Approved this 18 day of

April, 2001,

at 2:39 o'clock P M.

[Signature]  
Governor of Arizona

H.B. 2229

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State  
this 19 day of April, 2001,

at 3:13 o'clock P M.

[Signature]  
Secretary of State